

# City of Cumberland

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July 11, 2002

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

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DEPUTY

Honorable J. Frederick Motz  
United States District Court  
for the District of Maryland  
United States Courthouse  
101 W. Lombard Street  
Baltimore, MD 21201

Re: Pure Water Committee of Western Maryland, Inc., et al v. Mayor and City Council of  
Cumberland, Maryland, et al.  
Case No. JFM 01 CD 2611

Dear Judge Motz:

The current Scheduling Order in the above referenced case establishes a deadline for filing Motions for Summary Judgment for July 15, 2002. Both Mr. Getty, as attorney for the Mayor and City Council of Frostburg, Maryland and I, as attorney for the Mayor and City Council of Cumberland, intend to file Motions for Summary Judgment in the above referenced case. To that end, we have completed written discovery and deposed two of the Plaintiffs and three of the Plaintiffs' experts. We have been advised by the Plaintiffs' counsel that they intend to file a Motion to amend the Complaint to add Allegany County, Maryland, and the LaVale Sanitary Commission as Defendants. Both the County and the LaVale Sanitary Commission purchase fluoridated water from the City of Cumberland and the City of Frostburg and in turn distribute it to their customers.

The Plaintiffs have also promised to provide to the Defendants certain documents which have been requested in discovery pertaining to the corporate status and membership list of the Pure Water Committee for Western Maryland, Inc. This information is critical in evaluating the standing the Plaintiffs have to bring this claim.

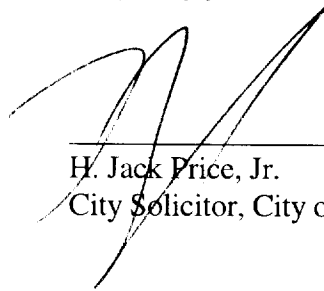
Given the current status, the Defendants request an extension for an additional thirty (30) days of the deadline to file Motions for Summary Judgment. In that thirty day period, the parties will be able to evaluate whether the County Commissioners of Allegany County, Maryland, and LaVale Sanitary Commission are going to be added to the litigation and what, if any, impact that will have on the Scheduling Order. In addition, the Plaintiffs will be able to supplement their discovery so we can fully brief the issues for the Court's consideration. I am advised the Plaintiffs' counsel has no objection to this request.

Approved  
12/24/02  
7/24/02

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Thank you for your kind attention to this matter.

Very truly yours,

A handwritten signature in black ink, consisting of a large, stylized 'H' followed by a series of loops and a long horizontal stroke extending to the right.

H. Jack Price, Jr.  
City Solicitor, City of Cumberland

HJP/cmt

cc: William Trozzo, Esquire  
Jeffrey S. Getty, Esquire